REMARKS

The Examiner rejected claim 1 as being obvious over Hendrey in view of Chandhok. In response, Applicant has amended claim 1. Applicant believes that the amended claims define over the cited references, and therefore, requests reconsideration and allowance of all pending claims.

Amended claim 1 is directed to a push-to-talk (PTT) controller configured to establish a local ad hoc group session between an inviting mobile terminal and one or more preferred mobile terminals located within a local area of the inviting mobile terminal. To identify the preferred mobile terminals for the group session, a group server filters a list of mobile terminals that are local to the inviting mobile terminal based on user-specified criteria. The criteria comprises a user-specified local area restriction (e.g., those mobile terminals within a 5-mile radius of the inviting user) and a user-specified access control restriction (e.g., those mobile terminals that are not blocked from communicating in a group session with the inviting user – e.g., Spec., p. 8, ll. 15–24; p. 10, ll. 3–24). Neither Hendrey nor Chandhok teaches or suggests, alone or in combination, a group server that performs this function.

Hendrey discloses a cellular communication system that uses a location server to determine the distances of one or more terminal units (TUs) from an initiating TU. The initiating TU in Hendrey may establish a conventional cellular communication session with the TUs identified by the location server as being geographically near the initiating TU. Note, however, that the group communication sessions in Hendrey are distance-based. Hendrey says nothing about filtering a set of "local" TUs to produce a subset of TUs based on a user-specified access control restriction. In fact, Hendrey has no use for such a filter because the user of the initiating TU pre-defines the members of a group with which the user wishes to communicate. Thus, simply by virtue of their inclusion in the group, none of the TUs in the group are blocked from

communicating in a group session with the user. In fact, just the opposite is true -- the user

wants to communicate with all the group members. Indeed, there is no reason for Hendrey to

filter the TUs for that particular aspect as is required in amended claim 1.

Further, another reason Hendrey fails to teach or suggest claim 1 is that Hendrey

teaches pre-defining the members of the groups the initiating user selects for communications.

Thus, the initiating user knows all the members of a given group in Hendrey before call set up.

In fact, the Hendrey method requires the identities of the group members to function properly.

Contrastingly, the filtering performed by the group server of claim 1 necessarily creates an ad-

hoc group at the time of call set up. The members of that group are not known *a priori* and will

be created to include only those members that meet both criteria of claim 1.

Chandhok fails to remedy Hendrey. Chandhok discloses establishing a local

communication session between a requesting mobile terminal and one or more service

providers based on their distance from the requesting mobile terminal, and on a direction of

travel of the requesting mobile terminal. The service providers may be, for example, emergency

official or a group of drivers in a local area. *E.g., Chandhok*, ¶[0043], Figure 6. Note that in

Chandhok, the network selects the service providers for the requesting mobile terminal.

Nothing in Chandhok teaches or suggests that the user of the requesting mobile terminal

applies a user-specified local area restriction and a user-specified access control restriction filter

to limit the mobile terminals for a group communication session. Moreover, the Examiner never

asserts that Chandhok does.

Additionally, however, there is no motivation to combine the references because neither

reference would benefit from such a filter. Hendrey only contacts those members of a pre-

defined group that are within a specified distance from the initiating TU. Likewise, the user in

Chandhok explicitly requests assistance from service providers who the user intends to include

communicate with. It makes no sense for either Hendrey or Chandhok to filter based on a

whether the initiating/requesting user has/has not blocked one or more of the parties. Therefore, there is no motivation to combine the references.

Therefore, neither Hendrey nor Chandhok teaches or suggests, alone or in combination, the group server of claim 1, and the §103 rejection of claim 1 and its dependent claims fails as a matter of law.

The Examiner also rejected claims 13 and 37 as being obvious over Hendrey in view of Chandhok for substantially the same reasons as those stated above. Claim 13 recites filtering identified local mobile terminals based on a user-specified local area restriction and a user-specified access restriction to identify preferred local mobile terminals in the local area. Thus, for reasons similar to those stated above, neither reference teaches or suggests, alone or in combination, claim 13 or any of its dependent claims.

Regarding claim 37, it recites that the group server filters the identified local mobile terminals based on a media type restriction (e.g., video, images, audio, etc.). The Examiner admits that Hendrey fails to teach or suggest this limitation, but asserts that Chandhok does. Chandhok only identifies service providers for the requesting user based on distance from the requestor and a direction of travel of the requestor. The user in Chandhok may provide a desired service category for which service is requested – however, this says nothing about restricting the type of media. E.g., *Chandhok*, ¶[0033]. It says only that the user can request information or assistance regarding a particular subject (e.g., traffic, weather, etc.) fro one or more local service providers. Therefore, neither Hendrey nor Chandhok teaches or suggests, alone or in combination, claim 37.
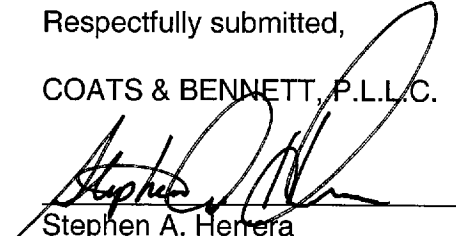
Additionally, Applicants have added new claims 38-41, without adding new matter, for consideration by the Examiner. Claims 38-41 depend directly or indirectly from claim 37, and further define user-specified filters for the group server. Because claims 38-41 depend from claim 37, they too are patentably non-obvious over the cited art.

Finally, Applicants note that various dependent claims have been amended. The amendments merely ensure that the dependent claims comport with the language of their respective amended independent claims. No new matter has been added.

In light of the foregoing amendments and remarks, Applicant respectfully requests allowance of all pending claims.

Respectfully submitted,

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